

**PROCEEDINGS OF THE COMMON COUNCIL OF
THE CITY OF RICHMOND, INDIANA,
TUESDAY, SEPTEMBER 2, 2008**

The Common Council of the City of Richmond, Indiana met in regular session Tuesday, September 2, 2008 in the Council Chambers in said City.

PLEDGE OF ALLEGIANCE

PRAYER BY COUNCILOR WISSEL

President Parker presided and the following business was conducted:

ROLL CALL

Councilors present were Howard "Jack" Elstro, Kelley Cruse-Nicholson, Bruce Wissel, Clay Miller, Bing Welch, Larry Parker, Robert Goodwin, Diana Pappin and Phil Quinn.

APPROVAL OF MINUTES

Councilor Wissel moved to amend the Minutes of the regular meeting of August 18 as follows: MISCELLANEOUS BUSINESS: change street light to stop light and Ordinance Nos. 61 and 62-2008 were presented by Tony Foster, Director of the Department of Metropolitan Development. This motion was supported by Councilor Miller. Upon a vote viva voce, the motion passed. Councilor Wissel moved to approve the minutes of the regular meeting as amended and the Executive Session of August 18, 2008, supported by Councilor Cruse-Nicholson. Upon a vote viva voce, the motion passed.

**PRESENTATIONS, MEMORIALS OR REMONSTRANCES, PETITIONS AND INTRODUCTIONS,
MOTIONS, RESOLUTIONS**

None

COMMUNICATION FROM THE MAYOR

- Government 101 classes will begin September 16. Contact Diane Whitehead or the Mayor's Office to enroll for this four-week course.
- The parade to celebrate kids will be held September 13. Over 500 young people will be participating.
- A check in the amount of \$32 was received from the Richmond Fire Department Union to reimburse the City for the fuel used to transport firefighters to the August 27 Committee of the Whole meeting for the discussion regarding the 2009 Fire Department budget.

REPORT FROM BOARD OF PUBLIC WORKS AND SAFETY

Minutes of the August 14 & 21, 2008 meetings were accepted as presented.

**REPORTS FROM DEPARTMENT HEADS, STANDING COMMITTEES, SPECIAL COMMITTEES
and/or ORGANIZATIONS**

None

MISCELLANEOUS BUSINESS

- STREET TREE COMMISSION: Councilor Pappin moved to nominate Peggy North to serve an additional term on the Street Tree Commission, supported by Councilor Wissel. Upon a vote viva voce, the motion passed.
- Richmond High School government students were in attendance.

ORDINANCES ON FIRST READING

Councilor Elstro moved to suspend the rules and read Ordinance Nos. 53, 54, 55, 56, 57, 58, 66, 67 & 68-2008 on first reading by title only, supported by Councilor Welch. Upon a vote viva voce, the motion passed.

ORDINANCE NO. 53-2008 - AN APPROPRIATION ORDINANCE TO BE KNOWN AS THE 2009 BUDGET

The Clerk read Ordinance No. 53-2008 on first reading by title only.

Presented by City Controller, Tammy Glenn, this Ordinance includes Budget Form 4-A which is the 2009 Budget.

Ordinance No. 53-1008 will be advertised in the newspaper September 5 and 12 and heard on second reading and public hearing on September 15. A Special Meeting for Budget Adoption has been scheduled for September 29, 2008.

ORDINANCE NO. 54-2008 – AN APPROPRIATION ORDINANCE FIXING THE ANNUAL COMPENSATION OF ALL ELECTED CITY OFFICERS FOR 2009

The Clerk read Ordinance No. 54-2008 on first reading by title only.

Presented by City Controller, Tammy Glenn, this Ordinance establishes the annual compensation of all elected city officers for 2009. Ordinance No. 54-2008 was advertised in the newspaper August 29 and is scheduled for the second advertisement on September 5.

Councilor Quinn moved to amend the Ordinance to reflect an increase of 3% for salaries paid by Richmond Power and Light for the Board Members to coincide with raises to be received by all employees of RP&L, supported by Councilor Elstro. The motion passed with an 8-1 vote viva voce. Dissenting was Councilor Miller.

Ms. Glenn reported the Ordinance as amended will have to be readvertised but can still be heard on second reading and public hearing September 15, 2009. The date for adoption of Ordinance No. 54-2008 cannot be prior to 30 days after the last readvertisement.

ORDINANCE NO. 55-2008 – AN APPROPRIATION ORDINANCE TO BE KNOWN AS THE 2009 SALARY ORDINANCE

The Clerk read Ordinance No. 55-2008 on first reading by title only.

Presented by City Controller, Tammy Glenn, this Ordinance fixes the compensation for civilian employees for 2009.

Ordinance No. 55-2008 will be heard on second reading and public hearing September 15, 2008.

ORDINANCE NO. 56-2008 – AN ORDINANCE TO PETITION FOR A SHORTFALL APPEAL DUE TO ERRONEOUS ASSESSED VALUE

The Clerk read Ordinance No. 56-2008 on first reading by title only.

Presented by City Controller, Tammy Glenn, this Ordinance would authorize the City of Richmond to appeal to the Local Government Tax Control Board and Department of Local Government Finance for a property tax shortfall, due to erroneous assessed valuation, pursuant to IC 6-1.1-18.5-16. The amount of the shortfall is projected to be \$463,532.

Councilor Welch moved to advance Ordinance No. 56-2008 to second reading and to suspend the rules and read by title only, supported by Councilor Miler. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 56-2008 on second reading by title only.

Council President Parker declared Ordinance No. 56-2008 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Elstro moved for engrossment of Ordinance No. 56-2008, supported by Councilor Pappin. Upon a vote viva voce, the motion passed.

Councilor Wissel moved to advance Ordinance No. 56-2008 to third and final reading and suspend the rules and read by title only, supported by Councilor Miller. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 56-2008 on third reading by title only.

Ordinance No. 56-2008 was adopted with a 9-0 roll call vote

ORDINANCE NO. 57-2008 – AN APPROPRIATION ORDINANCE AUTHORIZING A REDUCTION IN APPROPRIATIONS FROM CERTAIN FUNDS

The Clerk read Ordinance No. 57-2008 on first reading by title only.

Presented by City Controller, Tammy Glenn, this Ordinance would reduce 2008 budget appropriations in the Parks and Recreation, Motor Vehicle Highway and the General Funds.

Councilor Miller moved to advance Ordinance No. 57-2008 to second reading and to suspend the rules and read by title only, supported by Councilor Quinn. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 57-2008 on second reading by title only.

Council President Parker declared Ordinance No. 57-2008 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Cruse-Nicholson moved for engrossment of Ordinance No. 57-2008, supported by Councilor Elstro. Upon a vote viva voce, the motion passed.

Councilor Welch moved to advance Ordinance No. 57-2008 to third and final reading and suspend the rules and read by title only, supported by Councilor Miller. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 57-2008 on third reading by title only.

Ordinance No. 57-2008 was adopted with a 9-0 roll call vote

ORDINANCE NO. 58 – AN APPROPRIATION ORDINANCE AUTHORIZING PAYMENT FOR SERVICES FROM THE RICHMOND SANITARY DISTRICT, RICHMOND POWER & LIGHT, MOTOR VEHICLE HIGHWAY AND PARK AND RECREATION DEPARTMENT FUNDS TO THE GENERAL FUND IN 2009

The Clerk read Ordinance No. 58-2008 on first reading by title only.

Presented by City Controller, Tammy Glenn, this Ordinance would authorize payments from the named funds for personnel services provided by the City of Richmond General Fund.

Councilor Wissel moved to advance Ordinance No. 58-2008 to second reading and to suspend the rules and read by title only, supported by Councilor Welch. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 58-2008 on second reading by title only.

Council President Parker declared Ordinance No. 58-2008 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Elstro moved for engrossment of Ordinance No. 58-2008, supported by Councilor Pappin. Upon a vote viva voce, the motion passed.

Councilor Wissel moved to advance Ordinance No. 58-2008 to third and final reading and suspend the rules and read by title only, supported by Councilor Miller. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 58-2008 on third reading by title only.

Ordinance No. 58-2008 was adopted with a 9-0 roll call vote

ORDINANCE NO. 66-2008 - AN APPROPRIATION ORDINANCE AUTHORIZING THE SUBMITTAL, ACCEPTANCE, AND APPROPRIATION OF A GRANT FROM THE WAYNE COUNTY FOUNDATION

The Clerk read Ordinance No. 66-2008 on first reading by title only.

Presented by Blair Beach, Park Department Community Recreation Coordinator, this Ordinance would authorize the Department of Parks and Recreation to submit a grant application and to accept said grant funding from the Wayne County Foundation in an amount not to exceed Eight Thousand Dollars and zero cents (\$8,000.00). If awarded, these funds would be appropriated for the purchase of an inflatable movie screen for outdoor movies.

Councilor Welch moved to advance Ordinance No. 66-2008 to second reading and to suspend the rules and read by title only, supported by Councilor Miller. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 66-2008 on second reading by title only.

Council President Parker declared Ordinance No. 66-2008 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Pappin moved for engrossment of Ordinance No. 66-2008, supported by Councilor Cruse-Nicholson. Upon a vote viva voce, the motion passed.

Councilor Elstro moved to advance Ordinance No. 66-2008 to third and final reading and suspend the rules and read by title only, supported by Councilor Welch. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 66-2008 on third reading by title only.

Ordinance No. 66-2008 was adopted with a 9-0 roll call vote

ORDINANCE NO. 67-2008 - AN APPROPRIATION ORDINANCE AUTHORIZING THE SUBMITTAL, ACCEPTANCE, AND APPROPRIATION OF A GRANT FROM INDIANA CRIMINAL JUSTICE INSTITUTE

The Clerk read Ordinance No. 67-2008 on first reading by title only.

Presented by Police Chief, Kris Wolski, this Ordinance would authorize the Richmond Police Department to a grant application and to accept said grant funding from the Indiana Criminal Justice Institute in an amount not to exceed Five Thousand Two Hundred and Fifty Dollars and zero cents (\$5,240.00). If

awarded, these funds would be appropriated for the purchase of ten of the following: hand bar code scanners, vehicle thermal printers, universal printer mounts, paper and cables and to pay for two-year extended warranties on the printers. The City of Richmond would provide a local match from the Department of Drug Enforcement Administration Asset Forfeitures account in an amount up to One Thousand seven Hundred Fifty Dollars and zero cents (\$1,750.00).

Councilor Welch moved to advance Ordinance No. 67-2008 to second reading and to suspend the rules and read by title only, supported by Councilor Pappin. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 67-2008 on second reading by title only.

Council President Parker declared Ordinance No. 67-2008 on second reading and public hearing. There being no comments for or against the Ordinance, Councilor Wissel moved for engrossment of Ordinance No. 67-2008, supported by Councilor Pappin. Upon a vote viva voce, the motion passed.

Councilor Wissel moved to advance Ordinance No. 67-2008 to third and final reading and suspend the rules and read by title only, supported by Councilor Elstro. Upon a vote viva voce, the motion passed.

The Clerk read Ordinance No. 67-2008 on third reading by title only.

Ordinance No. 67-2008 was adopted with a 9-0 roll call vote

ORDINANCE NO. 68-2008 - A GENERAL ORDINANCE AMENDING CHAPTER 76, SCHEDULE II OF RICHMOND CODE REGARDING STREETS AND AREAS WHERE PARKING IS PROHIBITED AT ALL TIMES

The Clerk read Ordinance No. 68-2008 on first reading by title only.

Ordinance No. 68-2008 was held on first reading until September 15, 2008.

ORDINANCES ON SECOND READING

ORDINANCE NO. 87-2007 – A GENERAL ORDINANCE REPEALING AND REENACTING CHAPTER 124 OF THE CITY OF RICHMOND CODE (Smoking in Public Places)

The Clerk read Ordinance No. 87-2007 on second reading by title only.

This Ordinance would repeal Chapter 124 of the Municipal Code, which is entitled *Environmental Tobacco Smoke in Public Accommodations*. This Chapter would then be reenacted with the title *Smoking in Public Places and Places of Employment*.

Council President Parker declared Ordinance No. 67-2008 on second reading and public hearing. Speaking in favor were Laura Frist, Pat Murray, Dr. Paul Rider, Allan Williams, Tim Filler, Al Glover, Melissa Lewis, Asia Jett, Carla Samigas, Ron Weadick and Shauna Creech. Opposed were Judith Rodert, James Sizelove, Chris West, Mike Roth and Don Hamm.

Ordinance No. 87-2007 was held on second reading until revisions are completed.

ORDINANCES ON THIRD READING

None

CALL FOR ADJOURNMENT

There being no further business, on a motion duly made, seconded and passed, the meeting was adjourned.

S/S Larry Parker
Larry Parker, President

ATTEST: S/S Karen Chasteen
Karen Chasteen, City Clerk